

REMARKS

Claims 1, 6, 11, 15, 19 and 22-24 have been amended. Claims 1-13 and 15-25 are pending in this application.

Claims 1-13 and 15-25 were rejected under 35 U.S.C. § 112, first paragraph ("Section 112"), for failing to comply with the written description requirement and containing new matter. Independent claim 1 has been amended to recite that the claimed wireless communication apparatus includes a "scan operation period setting means for setting a scan operation period to receive a beacon signal over a time of the predetermined frame period other than a time set for transmission of a beacon signal by the wireless communication apparatus." As discussed in the specification, the wireless communication apparatus "sets the scan time over [its own] frame period" (see specification, for example, at pg. 27, ln. 16-17 and 19-21 and step ST3 of FIG. 7), during which time it "engages in a scan operation (SCNO)" to receive a beacon signal of another wireless communication apparatus (see specification, for example, at pg. 27, ln. 20-23, step ST4 of FIG. 7, FIGs. 3D and 3E, and pg. 16, ln. 22-25), and the scan operation is at a time over the frame period set by the wireless communication apparatus which is other than a time (BCN) in the frame period set for transmission of a beacon signal by the wireless communication apparatus. (See specification, for example, at pg. 30, ln. 6-14, step ST19 of FIG. 7, pg. 16, ln. 18-20 and FIGs. 3D and 3E). In addition, independent claims 6, 11, 15, 19 and 22 have been amended to include limitations corresponding to the amendments of claim 1, as described above. Accordingly, based on the amendments to independent claims 1, 6, 11, 15, 19 and 22, the Section 112 rejections of claims 1-13 and 15-25 have been overcome and should be withdrawn.

Claims 1-6, 9-13 and 15-25 were rejected under 35 U.S.C § 103(a) as being unpatentable over U.S. Patent Publication No. 2002/0159544 ("Karaoguz") in view of U.S. Patent Publication No. 2006/0044436 ("Watanabe") and U.S. Patent No. 6,466,608 ("Hong"). Claims 7-8 were rejected under 35 U.S.C § 103(a) as being unpatentable over Karaoguz in view of Watanabe, Hong and of well known prior art (MPEP 2144.0).

Amended independent claim 1 recites, in relevant part, the following:

frame period setting means for setting a predetermined frame period for the wireless communication apparatus;

scan operation period setting means for setting a scan operation period to receive a beacon signal over a time of the predetermined frame period other than a time set for transmission of a beacon signal by the wireless communication apparatus

(emphasis added). Accordingly, in a wireless communication apparatus of claim 1, the wireless communication apparatus "sets its own [predetermined] frame period" (FLMP) (emphasis added, see specification, for example, at pg. 27, ln. 15-17 and pg. 20, ln. 25-pg. 21, ln. 2) and a scan operation period (SCNO). (See Figs. 3D-3E). The scan operation period is to receive a beacon signal, for example, from another wireless communication apparatus, and is set over a time of the predetermined frame period for the wireless communication apparatus that is other than a time set for transmission of a beacon signal by the wireless communication apparatus. (See specification, for example, at pg. 16, ln. 1-23, pg. 27, ln. 19-21, pg. 30, ln. 6-14 and FIGs. 3D, 3E and 7).

The applied portions of Karaoguz appear to concern performing RF carrier compensation in a wireless transceiver device, where the wireless transceiver device "estimates initial RF carrier

compensation settings for the received frame" (emphasis added, Karaoguz at paragraph [0040]), which is received from another wireless transmitting device, "to compensate for carrier variations between the RF carrier of the wireless device and the RF carrier" of the another wireless transmitting device. (see Karaoguz at paragraph [0012]). Nowhere do the applied portions of Karaoguz appear to disclose a frame period setting means in a wireless communication apparatus to set "a predetermined frame period for the wireless communication apparatus" (emphasis added), as required by amended claim 1.

Watanabe, which appears to describe scanning a row of pixels during an image frame period, and Hong, which appears to concern synchronizing nodes in a wireless communication to a master node, do not cure the deficiencies of Karaoguz with respect to the requirements of claim 1, as described above. Further, the applied portions of Karaoguz, Watanabe and Hong do not appear to disclose or suggest, in a wireless communication apparatus, setting a scan operation period to receive a beacon signal over a time of the predetermined frame period set by the wireless communication apparatus that is other than a time set for transmission of the beacon signal by the wireless communication apparatus, as required by amended claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from the applied combination of Karaoguz, Watanabe and Hong.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claims 6, 11, 15, 19 and 22, which include limitations corresponding to those of claim 1 discussed above, are distinguishable from the combination of Karaoguz, Watanabe and Hong as applied by the Examiner.

Claims 2-5, 7-10, 12-13, 16-18, 20-21 and 23-25 depend from one of the independent claims. Accordingly, it is also respectfully submitted that dependent claims 2-5, 7-10, 12-13, 16-18, 20-21 and 23-25 are distinguishable from the combination of Karaoguz, Watanabe, Hong and well known prior art as applied by the Examiner for at least the reasons previously described for claim 1, and because of the additional restrictions they require.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he/she telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: March 24, 2010

Respectfully submitted,
Electronic signature:
/Davy E. Zoneraich/
Davy E. Zoneraich
Registration No.: 37,267
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicant

1138040
1138040